

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ebner et al.

Docket No.: PF403D2

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

For: Human Ependymin

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-BL listed on the attached Form PTO/SB/08.

Copies of references AA-AX were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 09/229,583, filed January 13, 1999, now U.S. Patent No. 6,489,138, issued December 3, 2002, to which the instant application claims priority under 35 U.S.C. § 120. Copies of references AY-BL were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 10/187,904, filed March 7, 2002, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to U. S. Patent Application Serial No. 09/229,583 for copies of references AA-AX and U. S. Patent Application Serial No. 10/187,904 for copies of references AY-BL.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

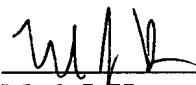
Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425.

Respectfully submitted,

Dated: December 12, 2003

  
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Mark J. Hyman  
Registration No.: 46,789  
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Rockville, Maryland 20850  
(240) 314-1224

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Reinhard Ebner
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	PF403D2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US 5,545,719	08/13/1996	Shashoua et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	AB	WO 98/11130	03/19/1998	Takaeda Chem Ind Ltd.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AC	ADAMS et al. "initial assessment of human gene diversity and expression patterns based upon 83 million nucleotides of cDNA sequence." Nature 377 (Supp. 6547):3-17 (1995)	
	AD	HOFFMANN, W. "Ependymins and their potential role in neuroplasticity and regeneration: calcium-binding meningeal glycoproteins of the cerebrospinal fluid and extracellular matrix." Int. J. Biochem (26)5:607-619 (1994)	
	AE	Genbank Accession No. AA131797, Hillier et al. (11/27/96)	
	AF	Genbank Accession No. AA131847, Hillier et al. (November 27, 1996)	
	AG	Genbank Accession No. AA157807, Hillier et al. (12/16/96)	
	AH	Genbank Accession No. AA209496, Hillier et al. (01/29/97)	
	AI	Genbank Accession No. AA322665, Adams et al., (04/14/97)	
	AJ	Genbank Accession No. AA325686 Adams et al. (04/20/97)	
	AK	Genbank Accession No. AA420449, (10/16/97)	
	AL	Genbank Accession No. AA442737, Hillier et al. (06/03/97)	
	AM	Genbank Accession No. A659548, (11/5/97)	
	AN	Genbank Accession No. C04855, Tanaka et al. (07/30/96)	
	AO	Genbank Accession No. F05414, Auffray et al., (02/19/95)	
	AP	Genbank Accession No. N47444, Hillier et al. (02/14/96)	
	AQ	Genbank Accession No. N47445, Hillier et al. (02/14/96)	
	AR	Genbank Accession No. N49194, Hillier et al. (02/14/96)	
	AS	Genbank Accession No. N50249, Hillier et al. (02/14/96)	
	AT	Genbank Accession No. N53580, Hillier et al. (01/28/97)	
	AU	Genbank Accession No W02349, Hillier et al., (04/18/96)	
	AV	Genbank Accession No. W58404, Hillier et al. (10/15/96)	
	AW	Genbank Accession No. W58478 (Hillier et al.) (10/15/96)	
	AX	OGI et al., "Human ependymin-like protein encoding Cdna" Sequence homology search in Geneseq Database, Accession Number V07200, November 6, 1998	
	AY	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(1-224)	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Reinhard Ebner
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	PF403D2

	AZ	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(2-224)	
	BA	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(38-224)	
	BB	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(41-224)	
	BC	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(1-174)	
	BD	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(41-174)	
	BE	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(1-9)	
	BF	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(8-16)	
	BG	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(19-27)	
	BH	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(69-77)	
	BI	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(86-107)	
	BJ	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(113-123)	
	BK	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(131-139)	
	BL	OGI et al., "Human ependymin-like protein" November 6, 1998, Database :A _Geneseq_101002, Accession NO: AAW51119, alignment SEQ ID NO:2(159-167)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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